Mr. A. B. Salem *(Mattancheri):* The question arises in this way. If convenience is given to the Bibby Line passengers or foreign boats passengers to get from boats into the Railway, then why not similar conveniences be given to the public here?

DEFALCATION—TALAPPALLI MAGISTRATE'S COURT—HEAD CLERK—ACTION AGAINST

59. Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* Will the Government be pleased to state.—

(*a*) the name, qualifications and period of service put in by the Head clerk of the Talappalli Magistrate's Court who was concerned in the recent defalcations of Government money in the Talappalli Magistrate's Court;

(*b*) what was the amount involved;

(*c*) whether any action was taken against the Head clerk concerned;

(*d*) the period during which the defalcation occurred;

(*e*) the nature of punishment, if any, meted out to the person concerned?

Mr. K. Achyuta Menon *(Secretary to Government):*

(*a*) M. Govinda Menon—Matric—Period of service—30 years, 11 months and 17 days.

(*b*) Permanently misappropriated Rs. 1,523—6—11.
Temporarily misappropriated Rs. 2,884—12—10.

(*c*) Yes.

(*d*) Makaram 1110 to Meenam 1114.

(*e*) The whole amount was recovered and the clerk was dismissed from service.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* It is seen in the answer that the gentleman quietly misappropriated more than Rs. 4,000 in the course of 4 years and that it was not easily found out. After finding it out, he was simply dismissed from service. Why, no action was taken against him under the Penal Code?

Mr. K. Achyuta Menon *(Secretary to Government):* As an act of mercy.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* Then why is it that you did not extend that mercy to the person concerned in Question No. 68?

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Mr. President: That question comes later on, and you can ask this question when we come to that.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* In one case six years' imprisonment is awarded; in the other the incumbent was let off. What was the ground on which he was given mercy instead of punishment?

Mr. K. Achyuta Menon *(Secretary to Government):* In view of his long service—about 31 years—and on the eve of retirement, he was given double punishment already. One is, he was dismissed and the other is, he will be given no pension. Further, the amount was all recovered.

Mr. President: Question No. 68 also may be answered now if the hon'ble members so like it so that they can ask supplementaries on both the questions together.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* May I know, Sir, when this act of misappropriation was actually detected in the case of the person concerned in question No. 59?

Mr. K. Achyuta Menon *(Secretary to Government):* Somwhere about 12th May 1939. That is about one year and two or three months ago.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* When did he remit the amount? Was it in one instalment or in several instalments?

Mr. K. Achyuta Menon *(Secretary to Government):* I have not got these details. But, for the information of the House, I may say that the whole amount was paid before 11th July 1939, *i.e.* within two months.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* What action was taken when the act of misappropriation was found out first?

Mr. K. Achyuta Menon *(Secretary to Government):* It was carefully investigated and it was found that misappropriation had gone on for a long time.

Mr. President: I think, in that particular case, it was the District Magistrate who found out this misappropriation. He reported to the Government that he was taking immediate steps to recover the money. After having got the money, he went into the question of misappropriation, and the result is as is given out now.

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Mr. C. R. Iyyunni *(Trichur-South):* May I know whether there have been very many cases, where, for the commission of simple offences, persons have been charge-sheeted and no mercy has been shown?

Mr. K. Achyuta Menon *(Secretary to Government):* Mercy has been shown in very many cases.

Mr. C. R. Iyyunni *(Trichur-South):* Were there not very many cases where mercy was shown in spite of the fact that the amounts involved were not very small?

Mr. K. Achyuta Menon *(Secretary to Government):* I cannot say.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* Was mercy given voluntarily or whether there was any petition?

Mr. K. Achyuta Menon *(Secretary to Government):* I think there was a petition from him also.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* Was the petition submitted before or after remitting the amount?

Mr. K. Achyuta Menon *(Secretary to Government):* Only after he was caught.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* May I know whether it was after the amo unt was remitted or before?

Mr. K. Achyuta Menon *(Secretary to Government):* I think that at the time of the petition the amount was recovered.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: മ്യൂസിയത്തിൽ നിന്ന് ൩,൦൦൦ ക. യിൽ കൂടുതൽ അപഹരിച്ചിട്ടുണ്ടെന്നു് കാണുന്നുണ്ടു് അതു് എത്ര കൊല്ലം കൊണ്ടാണു് അപഹരിച്ചിട്ടുള്ളതു്?

Mr. K. Achyuta Menon *(Secretary to Government):* That also was spread out for a number of years.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ൧൭ കൊല്ലത്തിൽ ചിലപ്പോൾ സ്പ്ലീസുള്ള ഒരാളെ ജയിലിലേക്കു പറഞ്ഞയക്കുകയും പെൻഷൻ പറ്റാറായ ഒരാളെ ഡിസ്മിസ്സ് ചെയ്യുകയുമുണ്ടായതു്. എന്തുകൊണ്ടു് ഇയ്യാളുടെ പേരിലും ക്രിമിനൽ ആക്ഷൻ എടുത്തില്ല?

Mr. K. Achyuta Menon *(Secretary to Government):* The answer was given. But, if the reasons are not satisfactory, it is another matter.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഈ ഗോവിന്ദമേനോന്റെ പേരിൽ ഇതിനു മുമ്പു് ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ട് കോട്ടിൽ നിന്നു് എതോ പ്രധാനമായ ഒരു റിക്കാർട്ട് വിഴുങ്ങി എന്നൊരാക്ഷേപം ഉണ്ടായിട്ടില്ലേ?

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Mr. K. Achyuta Menon *(Secretary to Government):* There is nothing in the file to substantiate that he swallowed a record? I do not know whether it is humanly possible.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* What was the method adopted in order to recover the money? It seems he has falsified the accounts.

Mr. K. Achyuta Menon *(Secretary to Government):* It is a very complicated matter.

Mr. President: A number of Magistrates were fined also for it.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* We have no direct knowledge about these. From what we know from the outside talk, it is said that he added certain words (at the end of sentences) "fine realised" and then he added "not".

Mr. K. Achyuta Menon *(Secretary to Government):* Of-course he had taken steps to hide his defalcation.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഈ രണ്ട് സംഗതികളിലും കളവു കണ്ടുപിടിച്ചു് ആ ഉദ്യോഗസ്ഥന്മാർക്കു് വല്ല റിവാർഡും ഗവൺമെണ്ടിൽനിന്നു കൊടുത്തിട്ടുണ്ടോ?

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി: ഇതിനുശേഷം ഗവൺമെണ്ടുദ്യോഗസ്ഥന്മാരുടെ പേരിൽ പണാപഹരണത്തിനു വല്ലതെങ്കിലും കേസ് ചാർജ് ചെയ്തിട്ടുണ്ടോ?

Mr. K. Achyuta Menon *(Secretary to Government):* I want notice.

RACIAL DISCRIMINATION—USE OF STATIONS, ETC.,— WILLINGDON ISLAND

60. Mr. Popatlal Goverdhan Lalan *(Commerce & Industry)* Will the Government be pleased to state.—

(*a*) the number of stations proposed at the Willingdon Island for the landing and embarkation of passengers by train;

(*b*) whether any racial discrimination is made in the use of these stations and also of the "Island Bath" attached to the Malabar Hotel;

(*c*) if so, will the Government be pleased to see that no such discrimination is kept up, in view of the privilege and prestige of the State subjects at least?

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